

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0851-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **\$880.00****Complete if Known**

Application Number	10/031,539
Filing Date	July 22, 2002
First Named Inventor	Gern-Barlag et al.
Examiner Name	Gina Yu
Art Unit	1617
Attorney Docket No.	100718-363/ Bclersdorf 759.1

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other
<input type="checkbox"/> None			
<input checked="" type="checkbox"/> Deposit Account:			
Deposit Account Number	14-1263		
Deposit Account Name	Norris, McLaughlin & Marcus		
The Director is authorized to: (check all that apply)			
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input checked="" type="checkbox"/> Credit any overpayments	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			
FEE CALCULATION		3. ADDITIONAL FEES	
1. BASIC FILING FEE		Large Entity / Small Entity	
Fee Code (\$)	Fee Description	Fee Code (\$)	Fee Description
1001 770	Utility filing fee	2051 65	Surcharge - late filing fee or oath
1002 340	Design filing fee	2052 25	Surcharge - late provisional filing fee or cover sheet
1003 530	Plant filing fee	1053 130	Non - English specification
1004 770	Reissue filing fee	1812 2,520	For filing a request for ex parte reexamination
1005 160	Provisional filing fee	1804 920*	Requesting publication of SIR prior to Examiner action
SUBTOTAL (1) (\$)		1805 1,840*	Requesting publication of SIR after Examiner action
		1251 110	Extension for reply within first month
		1252 420	Extension for reply within second month
		1253 950	Extension for reply within third month
		1254 1,480	Extension for reply within fourth month
		1255 2,010	Extension for reply within fifth month
		1401 330	Notice of Appeal
		1402 330	Filing a brief in support of an appeal
		1403 290	Request for oral hearing
		1451 1,510	Petition to institute a public use proceeding
		1452 110	Petition to revive - unavoidable
		1453 1,330	Petition to revive - unintentional
		1501 1,330	Utility issue fee (or reissue)
		1502 480	Design issue fee
		1503 640	Plant issue fee
		1480 130	Petitions to the Commissioner
		1807 50	Processing fee under 37 CFR § 1.17(q)
		1806 180	Submission of Information Disclosure Statement
		8021 40	Recording each patent assignment per property (times number of properties)
		1809 770	Filing a submission after final rejection (37 CFR § 1.129(a))
		1810 770	For each additional invention to be examined (37 CFR § 1.129(b))
		1801 770	Request for Continued Examination (RCE)
		1802 900	Request for expedited examination of a design application
		Other fee (specify)	
2. EXTRA CLAIM FEES FOR UTILITY AND		Fee Paid	
Extra Claims			
Total Claims	-20** = 0 X = 0.00		
Independent Claims	-3** = 0 X = 0.00		
Multiple Dependent	=		
Large Entity / Small Entity			
Fee Code (\$)	Fee Description	Fee Code (\$)	Fee Description
1202 18	Claims in excess of 20		
1201 88	Independent claims in excess of 3		
1203 290	Multiple dependent claim, if not paid		
1204 88	** Reissue independent claims over original patent		
1205 18	** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2) (\$)		SUBTOTAL (3) (\$)	
		880.00	

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Howard C. Lee	Registration No. (Attorney/Agent)	48,104
Signature	Howard C. Lee	Telephone	212-808-0700
		Date	July 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Gers-Barlag et al.
SERIAL NO. : 10/031,539
FILED : July 22, 2002
FOR : Emulsifier-Free Finely Disperse Systems of the Water-in-Oil Type
ART UNIT : 1617
EXAMINER : Gina Yu

July 23, 2004

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

1. Timeliness, Fees and Certifications in lieu of Fees

- ☐ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.
- ☐ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):
- ☐ 1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.
- ☐ 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in

this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

- ☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):
- ☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

II. Copies of Listed References

- ☐ A. Copies of all references listed on the attached Form PTO-1449 are being supplied.
- ☐ B. Copies of all references listed on the attached Form PTO-1449 have already been supplied during the prosecution of prior application Serial No. _____, filed _____, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO-1449 are not now being supplied.
- ☐ C. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies of the references listed on the attached Form PTO-1449 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO-1449 are not now being supplied.

III. Concise Statement of Relevance

- ☐ A. All references listed on the attached Form PTO-1449 are in the English language, and, therefore, a concise statement of relevance is not required.
- ☐ B. A concise statement of the relevance of all references listed on the attached Form PTO-1449 that are *not in the English language*, is being provided on a separate sheet.
- ☐ C. All references listed on the attached Form PTO-1449 were cited in the search report issued by the _____ Patent Office, and an English-language version of that

search report, which indicates the degree of relevance found by that Patent Office, is attached.

- ☐ D. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.
- ☐ E. All listed on the attached Form PTO 1449 were cited during the prosecution of the prior application indicated above under II.B.

IV. Additional Information

- ☒ A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

USSN: 09/641,013 filed August 17, 2000

USSN: 09/640,822 filed August 17, 2000

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

- ☐ B. In addition of the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By *Howard C. Lee*
Howard C. Lee
Reg. No. 48,104

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New York, New York 10017
(212) 808-0700

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Information Disclosure Statement and the accompanying Concise Statement of Relevance of Non-English References, Additional Information, Form PTO-1449 (___ Sheets), ___ Search Report, and ___ references are being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date:

By *Agata Gliniska*

LIST OF PATENTS AND PUBLICATIONS APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Form PTO-1449)				Attorney Docket: 100718-363/ Beiersdorf 759.1		Serial No. 10/031,539	
				Applicant: Gers-Barlag et al.			
				Filing Date: July 22, 2002		Group: 1617	
U.S. PATENT DOCUMENTS							
Examiner's Initial		Document Number	Date	Name	Class	Sub Class	Filing Date If appropriate
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes No
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	A1	USSN: 09/641,013 filed August 17, 2000					
		USSN: 09/640,822 filed August 17, 2000					
EXAMINER:					DATE CONSIDERED:		
<ul style="list-style-type: none"> EXAMINER: Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant. 							